

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) No. 4:19-CR-211 RLW
DELVIN BOST,)
Defendant.)

ORDER

This matter is before the Court on the Memorandum and Report and Recommendation of United States Magistrate Judge Nannette A. Baker (ECF No. 901).

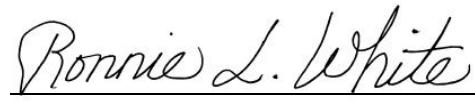
Defendant Bost filed a Motion to Suppress Evidence and Statements (ECF No. 644) and the Government filed a response (ECF No. 658). On August 10, 2021, Judge Baker held an evidentiary hearing at which the parties appeared. At the hearing the United States offered testimony of three police officer witnesses. Both parties filed post-hearing briefs (ECF Nos. 849, 854). The Magistrate Judge made findings of fact and conclusions of law and recommends that Defendant's Motion to Suppress Evidence and Statements be granted in part and denied in part. The Magistrate Judge recommends that Bost's Motion be granted with respect to evidence obtained as a result of the August 8, 2018 seizure, and denied with respect to statements Bost made on February 11, 2019.

After de novo review of Defendant’s Motion, the United States’ response, the transcript of the evidentiary hearing (ECF No. 768), the exhibits admitted into evidence at the hearing including the transcript of Defendant Bost’s interview on February 11, 2019, the post-hearing filings, and the Memorandum and Report and Recommendation of United States Magistrate Judge, this Court adopts the Magistrate Judge’s recommendations in full.

Accordingly,

IT IS HEREBY ORDERED that the Memorandum and Report and Recommendation of United States Magistrate Judge Nannette A. Baker (ECF No. 901) is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that Defendant Bost's Motion to Suppress Evidence and Statements (ECF No. 644) and Post-Hearing Motion to Suppress Evidence and Statements (ECF No. 849) are **GRANTED in part** and **DENIED in part**; the Motions are **GRANTED** with respect to the physical evidence obtained as a result of the August 8, 2018 seizure, and **DENIED** with respect to Bost's statements to police on February 11, 2019.


RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE

Dated this 13th day of April, 2022.